

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In Re:

Renee M. Kronsperger,

Debtor(s).

CHAPTER 13
CASE NO:15-48663
Hon. Maria L. Oxholm

DEBTOR'S MOTION TO BORROW TO FINANCE AUTOMOBILE

NOW COMES Debtor, Renee Kronsperger, by and through her undersigned counsel, for the purpose of seeking Court permission to allow Debtor to incur post-petition debt as follows:

1. That the within Chapter 13 Petition was commenced June 4, 2015.
2. That the Chapter 13 Plan was confirmed October 30, 2015
3. That it is necessary for the Debtor(s) to incur post-petition debt of more than \$2,000.00 for the reason that Debtor(s) prior vehicle, a 2007 Pontiac G6, is no longer operational due to high mileage and needs frequent repairs.
4. The amount of post-petition debt to be incurred is \$17,242.64, which will be paid directly by the Debtor(s) to Regional Acceptance Corp, or similar finance company in monthly installments of \$416.45, with interest at the rate of 20.95% for a term of no more than 66 months. Debtors will contribute a down payment of \$1,000, which will come from a family contribution. See attached **Exhibit 6**.

WHEREFORE, the Debtor(s) pray(s) that the Court grant the relief requested and allow Debtor(s) to incur post-petition debt as specified above.

Respectfully submitted,

Dated: April 18, 2019

/s/ William C. Babut
William C. Babut (P41099)
Babut Law Offices, P.L.L.C.
700 Towner Street
Ypsilanti, MI 48198
734-485-7000
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UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In Re:

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CHAPTER 13
CASE NO:15-48663
Hon. Maria L. Oxholm

ORDER ALLOWING DEBTOR TO BORROW TO FINANCE AUTOMOBILE

This matter having come on for consideration based upon the filing of a Motion to Borrow to Finance Automobile pursuant to E.D. Mich. L.B.R. 9014-1, a Certification of Non Response having been filed, the required notice having been provided, and the Court being otherwise sufficiently advised in the premises;

IT IS HEREBY ORDERED that Debtor(s) is/are allowed to incur post-petition debt in in order to purchase a year 2017, Chevy Equinox or similar vehicle in the amount of \$17,242.64, which will be paid directly by the Debtor(s) to Regional Acceptance Corp, or similar finance company, in monthly installments of \$416.45, with interest at the rate of 20.95%, for a term of no more than 66 months. Debtor will contribute a down payment of \$1,000, which will come from a family contribution.

IT IS FURTHER ORDERED that this Order shall be valid for 90 days after entry with the Court and Debtor(s) shall provide the Trustee with copies of financing documents evidencing the terms of the purchase including the name and address of the secured creditor within 14 days of purchase.

Exhibit 1

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In Re:

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NOTICE OF DEBTOR'S MOTION TO BORROW TO FINANCE AUTOMOBILE

The Debtor(s) has/have filed papers with the Court allowing Debtor(s) to incur post-petition debt

Your rights may be affected. You should read these papers carefully and discuss them with your attorney if you have one in this bankruptcy case. (If you do not have an attorney you may wish to consult one).

If you do not want the Court to grant the Motion to Incur Post-Petition Debt, or if you want the Court to consider your views on the motion **within 14 days** you or your attorney must:

1. **File with the Court a written response or an answer explaining your position at:** ¹

United States Bankruptcy Court
211 W. Fort St.
Detroit, MI 48226

If you mail your response to the Court for filing, you must mail it early enough so the Court will **receive** it on or before the **FOURTEENTH (14th) day** from the date of this motion.

You must also mail a copy to:

Tammy L. Terry
Standing Chapter 13 Trustee
535 Griswold, Ste. 2100
Detroit, MI 48226

Babut Law Offices, PLLC
Attorneys for Debtor
700 Towner St.
Ypsilanti, MI 48198

2. **If a response or answer is timely filed and served, the Court will schedule a hearing on the matter and you will be notified as to the time and date of the hearing.**

If you or your attorney do not take these steps, the Court may decide that you do not oppose the relief sought in the motion, and may enter an order granting that relief.

(Signature page to follow)

¹ Response or answer must comply with F.R. Civ. P. 8(b), (c), and (e)

Dated: April 18, 2019

/s/ William C. Babut
William C. Babut (P41099)
Babut Law Offices, P.L.L.C.
700 Towner Street
Ypsilanti, MI 48198
734-485-7000
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EXHIBIT 2

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
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CERTIFICATE OF SERVICE

I hereby certify that on April 18, 2019, I electronically filed the Motion to Borrow to Finance Automobile, Notice of Motion to Borrow to Finance Automobile, Notice and Proposed Order with the Clerk of the Court using ECF System, which will send notification to the following:

All interested parties on the attached Matrix

Dated: April 18, 2019

/s/ Kim Justice
Kim Justice
Babut Law Offices, P.L.L.C.
700 Towner Street
Ypsilanti, MI 48198
734-485-7000
kim@babutlaw

EXHIBIT 4

Label Matrix for local noticing
0645-2
Case 15-48663-mlo
Eastern District of Michigan
Detroit
Mon Apr 15 18:12:21 EDT 2019

Bank of America Mortgage
P.O. Box 5170
Simi Valley, MI 93062-5170

American Education Services
P.O. Box 2461
Harrisburg, PA 17105-2461

American Education Services
PO BOX 8183
HARRISBURG, PA 17105-8183

Capital One Bank (USA), N.A.
PO Box 71083
Charlotte, NC 28272-1083

DTE Energy
One Energy Plaza
WCB 735
Detroit, MI 48226-1221

ECMC
PO Box 16408
St. Paul, MN 55116-0408

Wells Fargo Bank, N.A.
PO Box 10438
Des Moines, IA 50306-0438

Wells Fargo Financial National
800 Walnut Street
Des Moines, IA 50309-3891

Renee M. Kronsperger
15482 Garrison
Southgate, MI 48195-2656

Tammy L. Terry
Buhl Building
535 Griswold
Suite 2100
Detroit, MI 48226-3681

William C. Babut
700 Towner Street
Ypsilanti, MI 48198-5724

End of Label Matrix
Mailable recipients 11
Bypassed recipients 0
Total 11